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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,320	03/29/2004	Wataru Oguchi	ALPSP151	5197
22434	7590	07/28/2004	EXAMINER	
BEYER WEAVER & THOMAS LLP P.O. BOX 778 BERKELEY, CA 94704-0778			NGUYEN, TRUC T	
			ART UNIT	PAPER NUMBER
			2833	

DATE MAILED: 07/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/813,320	Applicant(s) OGUCHI, WATARU UK	
	Examiner Truc T. T. Nguyen	Art Unit 2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 9 and 10 is/are rejected.
- 7) ☒ Claim(s) 7 and 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/29/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsia et al. (US 5,730,610) in view of Simmel (US 5,108,298).

Regarding claim 1, Hsia et al. discloses a card connector comprising:

a rotatable ejecting lever (88) having a first end and a second end and journaled at a fixed fulcrum (90), the second end (the left portion from the fulcrum in Figure 1) moving in the direction of ejecting a card to push out the card when the first end (the right portion from the fulcrum in Figure 1) is pushed in the direction of inserting the card;

Hsia et al. substantially disclose the claimed invention except a distance varying means.

Simmel teaches a rotatable ejecting lever (28) having a distance varying means (40).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a distance varying means into the second end of Hsia et al's ejecting lever, as taught by Simmel for gradually smooth ejecting the card.

Art Unit: 2833

Regarding claim 2, in the modified connector, Hsia et al. disclose the ejecting lever is disposed in the back of the connector.

Regarding claim 3, in the modified connector, Hsia et al. disclose the fulcrum is a journaled integrated with a header (10) having a terminal (see Figure 1) coming into contact with a contact of the card used for signal processing.

Regarding claim 4, in the modified connector, Hsia et al. disclose the fulcrum is a journaled integrated with a cover (12) covering a housing forming a main body.

Regarding claim 5, in the modified connector, Hsia et al. in view of Simmel disclose the distance varying means include a first pushing portion and a second pushing portion disposed at the second end of the ejecting lever, the first pushing portion pushing the card in the starting stage of card ejection, the second pushing portion being farther than the first pushing portion from the fulcrum and pushing the card after the starting stage of card ejection.

Regarding claim 6, in the modified connector, Simmel disclose the distance varying means (40) include a curved portion disposed at the second end of the ejecting lever, the curved portion pushing the card and being convex toward the front end of the card, the front end of the card being in the back of the connector when the card is in place.

Regarding claim 9, in the modified connector, Hsia et al. disclose the ejecting lever is disposed such that the second end of the ejecting lever pushes the front end of the card when the card is ejected, the card being in the back of the connector when the card is in place.

Regarding claim 10, in the modified connector, Hsia et al. disclose a push rod (16) pushing the first end of the ejecting lever in the direction of inserting the card.

Allowable Subject Matter

3. Claims 7-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is an examiner's statement of reasons for allowance:

The prior art of record fails to teach the second end of the ejecting lever being accommodated in a recess of the card and pushing the wall of the recess when the card is ejected.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

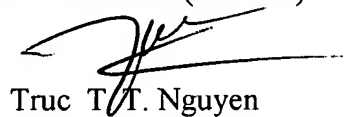
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T. T. Nguyen whose telephone number is 571-272-2011.

The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on 571-272-2800 extension 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2833

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Truc T.T. Nguyen
Primary Examiner
Art Unit 2833